

Amendment No. 11 to HB0105

McDonald
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1879

House Bill No. 105*

by deleting Section 1 in its entirety in the amendatory language of Amendment No. 1 (HA0401)
and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-221-409, is amended by
designating the present language as subsection (a) and by adding the following
language as new subsection (b):

(b) To be eligible for approval by the department pursuant to this part as
a soil consultant or a person who may perform a percolation test, or for a permit
as an installer of subsurface sewage disposal systems, any person shall file with
the commissioner a performance bond or an irrevocable letter of credit in the
amount of thirty thousand dollars (\$30,000) for the benefit of any person who
hires the soil consultant, percolation tester or installer and is damaged because
of any negligence or fraud by the soil consultant, percolation tester or installer.
Any person so damaged may sue directly on the bond without assignment
thereof. Liability under any such bond may not exceed in the aggregate the
amount of the bond. If the bond ceases to be in effect, the approval of the soil
consultant or the percolation tester or the permit of the installer shall become null
and void, subject to reinstatement if a new bond is provided.